



REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Hon'ble Chairman Mr. Vivek Kumar Singh,
RERA, Bihar.

RERA/SM/388/2019

Authorised Representative of RERA

....

Complainant

Vs

M/s WishLuv Buildcon Pvt. Ltd.

....Respondent

Project: **WISHLUV CITY, WISHLUV GREEN CITY, Wishluv
Vatika AND WISHLAV GARDEN CITY**

Present: For Complainant: Mr. Rishikesh Rajan, Legal
Representative

For Respondents: Mr. Sharad Shekhar, Advocate

09-10-2025

ORDER

1. Hearing taken up. Learned legal representative Mr. Rishikesh Rajan appears on behalf of the RERA. Learned counsel Mr. Sharad Shekhar appears on behalf of the respondents.
2. The present proceeding has been initiated suomotu against the respondent by the Authority vide notice dated 02-05-2019 for the project **WISHLUV CITY, WISHLUV GREEN CITY, Wishluv Vatika AND WISHLAV GARDEN CITY** and notice was issued as to why proceedings under Section 35 and Section 59 of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as "the Act").
3. The case was initiated based on material available on record which indicated prima facie contravention of the provisions of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as "the Act"). The evidence produced against the respondent for the violation of Section 3 of the Act includes brochure, advertisement on various intermediaries platform etc.
4. The case pertains to the projects named as Wishluv City, Wishluv Green City, Wishlav Garden City and Wishluv

Vatika which have been advertised by the respondents. As per records, a total area of land measuring 4,14,000 sq. ft. situated at village Gopalpur, Naubatpur, Patna was advertised.

5. The learned counsel for the respondent submits that for the project named Wishluv City, the respondent applied for registration; however, the application was rejected. At the time of applying for the registration, the respondent paid the penalty amount for the project.
6. The Legal Representative of the Authority submitted that, based on the advertisements placed on record, the respondent-promoter has violated Section 3 of the Real Estate (Regulation and Development) Act, 2016 ("the Act") by failing to register the project with the Authority. It was further submitted that the respondent has also contravened Section 11(2) of the Act, as the advertisements circulated did not contain the disclosures and procedural information mandated therein. The said advertisements and brochures were widely circulated across various platforms without obtaining prior registration of the project, thereby indicating a deliberate intent to mislead potential buyers for economic gain and undue advantage.
7. The Authority observes that the respondent has also advertised the project Wishluv Green City, Wishlav Garden City and Wishluv Vatika without getting the project registered with RERA which is a clear violation of the Act. There appears to be no reason to delay the matter further. Therefore, the Authority is constrained to pass order considering the evidence on record.
8. The scale of the property mentioned in the advertisement given for the projects Wishluv Green City, Wishlav Garden City and Wishluv Vatika, a penalty of Rs.20 lakh would be appropriate within the penalty ceiling amount as prescribed by the RERA Act, 2016.
9. As of now, as per the documents available on record and the pleadings, a penalty of Rs.20 lakh is imposed upon the respondents under section 59(1) of the Act for the projects namely Wishluv Green City, Wishlav Garden City and Wishluv Vatika. A further penalty of Rs. 5 Lakh is imposed for violation of Section 11(2) of the Act.

10. The penalty amount of Rs. 25 lakh, as mentioned above, shall be paid by the respondent company within sixty (60) days from the date of issuance of this order. Failure to comply with this direction will attract further action under Section 59(2) of the Real Estate Regulation and Development) Act, 2016.
11. The Authority further directs the office to issue a letter to the I.G. Registration, Bihar to issue letter to all the concerned DSRs/ Sub-Registrars of Patna to impose a blanket ban on execution of sale deed for the projects by the respondent company and its Directors along with the copy of the advertisement and detail of the company and its Director's.
12. The Authority further directs the Circle Officer of the concerned Anchal not to mutate any land pertaining to the said projects by the respondent company and its Directors along with the copy of the advertisement and detail of the company and its Directors.
13. The Authority further directs the respondents to remove all the advertisements of the projects mentioned above from all mediums within a fortnight.
14. The Authority directs the office to forward a copy of this order, along with all available evidence on record against the respondent, to the Enforcement Directorate Govt. of India and Economic Offences Unit, Bihar for information and necessary action.

With the above direction, this matter is disposed of.

Sd/-

(Vivek Kumar Singh)

Chairman